

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

ANNE SMITHERS, *et al.*

Plaintiffs,

V.

C.A. No. 1:18cv676 (TSE/IDD)

FRONTIER AIRLINES, INC., *et al.*

Defendants.

**DEFENDANT FRONTIER AIRLINES, INC.'S  
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

Defendant Frontier Airlines, Inc., by counsel, pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(2) and 12(b)(6), hereby moves this Court for an Order dismissing the Second Amended Complaint filed in this action by Plaintiffs Anne Smithers, James Mims, Ross Wiley, Thomas Wiley, Henry Wiley By His Mother and Next Friend Anne Smithers, and Hanna Del Signore.

The grounds for this Motion are set forth in the accompanying Memorandum.

November 14, 2018

Respectfully submitted,

/S/ ELAINE CHARLSON BREDEHOFT

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of November, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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